

**9-415A. Notice of dismissal - felony case.**

*[For use with Magistrate Court Rule 6-506 NMRA,  
and Metropolitan Court Rule 7-506 NMRA]*

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]  
[CITY OF \_\_\_\_\_]

v .

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

**NOTICE OF DISMISSAL**

The complaint filed in this case is dismissed without prejudice pending further investigation.

Criminal charges may be refiled at a later time.

\_\_\_\_\_  
Prosecutor

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this notice was

[mailed by United States mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State

and zip code: \_\_\_\_\_]

[faxed by \_\_\_\_\_ (*name of person who faxed*) to the defendant. The transmission was reported as complete and without error. The time and date of the transmission was \_\_\_\_\_ [a.m.] [p.m.] on \_\_\_\_\_ (*date*).]

[e-mailed to \_\_\_\_\_ (*name of person who transmitted*) to \_\_\_\_\_ at \_\_\_\_\_ (*electronic address of recipient*) which address is on file with the clerk of the Supreme Court. The transmission was successful. The time and date of the transmission was \_\_\_\_\_ [a.m.] [p.m.] on \_\_\_\_\_ (*date*).]

\_\_\_\_\_  
Signature of attorney

\_\_\_\_\_  
Date of signature

*If this notice was served by a person other than an attorney, the following must also be completed and filed with the court.*

### **AFFIDAVIT OF SERVICE**

I declare under penalty of perjury that a copy of this notice of dismissal was served by [mail] [fax] [electronic transmission] as described above on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_:

\_\_\_\_\_

Signature of person who made service

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

---

Judge, notary or other officer  
authorized to administer oaths

---

Official title

**USE NOTE**

*This form may be used to dismiss or nolle prosequi a felony case without prejudice. Use Criminal form 9-415 NMRA for a non-felony case.*

[Approved, effective August 1, 1999.]